

JUL 18 2000

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2877**

BOX AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

FUCHS ET AL

Serial No. 09/087,141

Filed: MAY 28, 1998

Atty. Docket

PHA 23,578

Group Art Unit 2877

Examiner S. TURNER

METHOD AND DEVICE FOR MEASURING THIN FILMS AND SEMICONDUCTOR SUBSTRATES

Commissioner of Patents and Trademarks
Washington, D.C. 20231

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 13, 2000, of the Examiner finally rejecting claims 1-46.

- [X] Please charge the fee of \$300.00 to Deposit Account No. 14-1270.
- [] No additional fee is required, because the fee was paid in a prior appeal.

Respectfully submitted,

By Tony E. Piotrowski
Tony E. Piotrowski, Reg. 42,080
Attorney
(914) 333-9609

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

On _____
(Date of Mailing)

By _____
(Signature)

EE:WPDOCS:PLA23578.NOTAPP.DOC

07/19/2000 TTRWH 00000005 141270 09087141
01 FC:119 300.00 CH